Government of Kerala
1985

Reg. No. KL/IV(N)/12

KERALA GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. XXX] Trivandrum, Saturday, 24th August 1985 / 2nd Bhadra 1907 [No. 699

GOVERNMENT OF KERALA

Taxes (G) Department

NOTIFICATION

G. O. (MS) No. 104|85|TD. *Dated, Trivandrum, 31st July, 1985.*

S. R. O. No. 1153|85.—In exercise of the powers conferred by sections 18A, 24 and 29 of the Abkari Act 1 of 1077, the Government of Kerala hereby make the following rules further to amend the Foreign Liquor Rules, published under notification No. S. R. 4-1859|52|RD. dated the 17th January, 1953 in the Travancore-Cochin Gazette Extraordinary No. 2 dated the 17th January, 1953, as subsequently amended, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Foreign Liquor (Amendment) Rules, 1985.

(2) They shall come into force at once.

33|3535|MC.

2. *Amendment of the Rules.*—In the Foreign Liquor Rules, in rule 26, after the second sentence the following sentence shall be added, namely:—

"Every bottle containing liquor shall bear the sticker of the FL 9 licensee in the State."

By order of the Governor,

M. G. K. MURTHY,
Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate its general purport).

At present there is no provision for affixture of stickers of the FL 9 licensee on the bottles of Indian Made Foreign Liquor for sale. In order to prevent the evasion of duty, sales-tax etc., by smuggling of Indian Made Foreign Liquor, Government have now decided that all the bottles of Foreign Liquor sold in Kerala should bear the stickers of the F.L. 9 licensee. This amendment is intended to achieve the above object.

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KERALA GAZETTE

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GOVERNMENT OF KERALA

Taxes (G) Department

NOTIFICATION

G.O. (MS) No. 96/85/TD. *Dated, Trivandrum, 1st August,* 1985.

S. R. O. No. 1147/85.—In exercise of the powers conferred by section 29 of the Abkari Act, 1 of 1077, the Government of Kerala, hereby make the following rules further to amend the Kerala Distillery and Warehouse Rules, 1968, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Distillery and Warehouse (Amendment) Rules, 1985.

(2) They shall come into force at once.

2. *Amendment of the rules.*—In Part II of the Kerala Distillery and Warehouse Rules, 1968,—

(1) In rule 49, after item (iii), the following item shall be inserted namely:—

"(iii) (a) Tanker Lorries."

(2) after rule 52, the following rule shall be inserted, namely:—

"52*A. Issue of spirit in tanker lorries.*—Spirit may be issued in tanker lorrie either under bond or after payment of duty. Consignment of spirit unde bond in tanker lorries is subject to the following conditions:—

(i) The transport of spirit shall be done in clear tanks, well tinne on the inside to prevent discolouration of the liquor.

(ii) Any liquor found to be discoloured at the time of verification, the consignment will be liable to be returned to the Distillery for redistillation.

(iii) All tanker lorries should be numbered and its actual capacity should be marked on it. The tank of the lorry must be fully filled and it should be securely soldered and sealed within the premises of the distillery. The gross weight of the Lorry with its consignment must be taken and recorded in the permit, before leaving the premises of the distillery. The advice for spirit issued for inland transit or export by bond should be sent to the officer appointed to verify the consignment. In the absence of suspecion or fraud it will be sufficient for the officers to examine the consignments of spirit, in closed and sealed tankers, in transit by weighing them. They need not remove the seal of the tank and gauge or prove the contents.";

(3) In rule 53, for the words "casks or drums" wherever they occur, the words "casks or drums or tanker lorries" should be substituted;

(4) After rule 55, the following rule shall be inserted, namely:—

"55 *A. Return of ungrogged tanker lorries.*—Warehouse keepers may return empty tanker lorries to distilleries ungrogged on the following conditions:—

(i) After the delivery of the Spirit all empty tanks of the lorries must be kept under seal and shall be returned to the distillery, if it belongs to the distillery.

(ii) The Officer-in-charge of the Warehouse will intimate the Officer-in-charge of the Distillery to which the tankers are returned, numbers and marks of the tanks and the receiving Officer will state on the letter of advice whether the tankers were received with the seal unbroken.

(iii). A note should be made in the verification register against all tankers despatched ungrogged.

(iv) All ungrogged tankers returned at the Distillery should be kept sealed until they are required for refilling."

By order of the Governor,

M. G. K. MURTHY,
Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate its general purport.)

At present there is no provision in the Kerala Distillery and Warehouse Rules permitting transport of spirit through tanker lorries. Government have decided to permit transportation of spirit in tanker lorries also. This amendment is intended to achieve this object.

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Government of Kerala
1985

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EXTRAORDINARY

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GOVERNMENT OF KERALA

Taxes (G) Department

NOTIFICATION

G. O. (MS) No. 103|85|TD. *Dated, Trivandrum, 31st July, 1985.*

S. R. O. No. 1152|85.—In exercise of the powers conferred by sections 12, 13A, 24 and 29 of the Abkari Act 1 of 1077 the Government of Kerala, hereby make the following rules further to amend the Cochin Denatured Spirit and Methyl Alcohol Rules, 1965.

RULES

1. *Short title and commencement.*—(1) These rules may be called the Cochin Denatured Spirit and Methyl Alcohol (Amendment) Rules, 1985.

(2) They shall come into force at once.

2. *Amendment of the Rules.*—In the Cochin Denatured Spirit and Methyl Alcohol Rules, 1965, after rule 5, the following rule shall be inserted, namely:—

"5A. *Testing of denatured spirit or methylated spirit.*—Denatured or methylated spirit manufactured in the distillery, within the State or imported from outside the State should be got analysed by the Chief Chemical Examiner to Government before issue from the distillery or put into use by the licensee who has imported it".

By order of the Governor,

M. G. K. MURTHY,
Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate its general purport).

It is decided to make a provision in the rules for the testing of spirit by the Chemical Examiner to ensure the quality of the liquor. This amendment is intended to achieve the above object.

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EXTRAORDINARY

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GOVERNMENT OF KERALA

Home (F) Department

NOTIFICATION

G. O. Ms. No. 167/85/Home. *Dated, Trivandrum, 21st August, 1985.*

S. R. O. No. 1144/85.—In exercise of the powers conferred by section 7 of the Kerala Cinema (Regulation) Act, 1958, the Government of Kerala hereby approve the newsreel film in Malayalam (Black & White) titled "Drisya Keralam No. 48" certified as a newsreel film for Unrestricted Public Exhibition by the Central Board of Film Certification as per Certificate No. 115 dated 19-7-1985 as an "Approved Film" for the purpose of the said Act and the conditions of licence for exhibition in cinematograph shows and direct all licensees to exhibit the said film according to the said provisions of the said Act and Rules and the conditions of licence.

By order of the Governor,

N. Kaleeswaran,
Commissioner and Secretary to Government.

33/3526/MC.

Reg. No. KL/TV(N)/12

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KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXX] Trivandrum, Saturday, 24th August 1985 / 2nd Bhadra 1907 (Saka) [No. 691

GOVERNMENT OF KERALA

Transport (D) Department

DECLARATION

No. 13811/D2/85/Tr. D. *Dated, Trivandrum, 22nd August*, 1985.

S. R. O. No. 1145/85.—Whereas in exercise of the powers conferred by clause (1) of article 258 of the Constitution of India, the President has in Notification No. 2/4/63 Judl. II, dated 31-5-1963 entrusted the Government of Kerala with their consent, the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (21 of 1962), in relation to the acquisition of land for the purpose of the Union in the State of Kerala;

And whereas, under subsection (1) of section 3 of the Kerala Land Acquisition Act, 1961 (21 of 1962) Notification No. 13758/H2/84/TF&P. dated the 4th June 1984 in respect of the lands specified in the schedule below has been published as S. R. O. No. 827/84 in the Kerala Gazette Extraordinary No. 624 dated the 24th July 1984;

And whereas, under subsection (4) of section 19 of the said Act the Government of Kerala have directed that in view of the urgency of the case the provisions of section 5 of the Act shall not apply to the lands specified in the schedule below;

And whereas, the Government of Kerala are satisfied that the said lands have to be acquired for a public purpose;

Now, therefore, the Government of Kerala hereby declare under section 6 of the Act that the lands specified in the schedule below and measuring 1.2455 Hectare be the same a little more or less, are needed for a public purpose, to wit for Yard arrangement at Angamaly in connection with the doubling of Rail track between Chalakudy and Angamaly Railway Stations and under section 7 of the said Act direct the Special Tahsildar (Land Acquisition) Railways, Ernakulam to take order for the acquisition of the lands. Further, under subsection (1) of section 19 of the said Act, Government direct that the Collector may take possession of the lands on the expiry of fifteen days from the date of publication of notice mentioned in subsection (1) of section 19 of the said Act.

A plan of the lands is kept in the Office of the Spl. Tahsildar, (Rly. L. A.) Ernakulam and may be inspected at any time during office hours.

SCHEDULE

District—Ernakulam. Taluk—Alwaye.

Village—Kothakulangara South.

(The extent given is approximate)

Sl. No.	*Survey No.*	*Description*		*Extent in Hectare*
(1)	(2)	(3)		(4)
1	137/1-A5	Dry land		0.2029
2	137/1B	,,		0.0243
				0.2272
3	165/1-B1	,,		0.0013
4	165/2-A1	,,		0.0081
5	165/3-A18	,,		0.0187
6	165/3-A19	,,		0.0147
7	165/3-A20	,,		0.0272
8	165/A-B1	,,		0.0032
9	165/6-A2	,,		0.0672
10	165/6-B1	,,		0.0595
11	165/7-A2	,,		0.0080
12	165/7-B	,,		0.0647
			Total	0.2726
13	192/5-A5	,,		0.0474
14	192/5-A6	,,		0.0125
15	192/5-A7	,,		0.2802
16	192/5-A9	,,		0.0025
17	192/7-A6	,,		0.0032
18	192/7-A7	,,		0.0462
19	192/7-B1	,,		0.0182

(1)	(2)	(3)	(4)
20	192/7-B2	Dry land	0.0506
21	192/7-B3	,,	0.0081
22	192/7-B4	,,	0.0019
23	192/7-B5	,,	0.0021
24	192/8-A3	,,	0.0252
25	192/8-B2	,,	0.0283
26	192/8-B3	,,	0.0323
27	192/8-B6	,,	0.0626
28	192/8-B7	,,	0.0211
29	192/8-B8	,,	0.0219
30	192/11-2	,,	0.0040
31	192/17-B9	,,	0.0114
32	192/17-B10	,,	0.0660
			0.7457

Explanatory Note

(This is not part of the Notification, but is intended to bring out the general purport).

The President of India has in Notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala with their consent the powers to acquire lands for the use of the Central Government in the State and it appears to the State Government that the lands mentioned in the schedule above are needed for a public purpose, viz. Yard arrangement at Angamaly in connection with the doubling of rail track between Chalakudy and Angamaly Railway Stations. This declaration is intended for the above purpose

എസ്. ആർ. ഒ. നമ്പർ 1145/85.—ഇൻഡ്യൻ ഭരണഘടനയുടെ 258-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച്, രാഷ്ട്രപതി 1963 മേയ് 31-ാം തീയതിയിലെ 2/4/63/ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനപ്രകാരം കേരള സംസ്ഥാനത്ത് കേന്ദ്രസർക്കാരിന്റെ ആവശ്യത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നതു സംബന്ധിച്ച് 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21) അനുസരിച്ചുള്ള കേന്ദ്രസർക്കാരിന്റെ ചുമതലകൾ കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേല്പിച്ചിരിക്കുന്നതിനാലും;

1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട് (1962-ലെ 21) 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം താഴെ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള ഭൂമി സംബന്ധിച്ച് 1984 ജൂലൈ 24-ാം തീയതിയിലെ 624-ാം നമ്പർ കേരള അസാധാരണ ഗസറ്റിൽ 1984 ജൂൺ 4-ാം തീയതിയിലെ 13758/എച്ച്2/84/റവ. എഫ്. ആന്റ് പി എന്ന നമ്പർ വിജ്ഞാപനം എസ്. ആർ. ഒ. 827/84 എന്ന നമ്പരിൽ പ്രസിദ്ധീകരിച്ചിട്ടുള്ളതാണ്;

സംഗതിയുടെ അടിയന്തിര സ്വഭാവം പരിഗണിച്ച് പ്രസ്തുത ആക്ട് 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പുപ്രകാരം, കേരള സർക്കാർ പ്രസ്തുത ആക്ട് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ താഴെ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള ഭൂമിക്ക് ബാധകമാകുന്നതല്ലെന്ന് നിർദ്ദേശിച്ചിരിക്കുന്നതിനാലും;

പ്രസ്തുത സ്ഥലം ഒരു പൊതു ആവശ്യത്തിനുവേണ്ടി വിലയ്ക്കെടുക്കേണ്ടതാണെന്ന് കേരള സർക്കാരിന് ബോദ്ധ്യം വന്നിരിക്കുന്നതിനാലും;

ഇപ്പോൾ, അതിനാൽ, പ്രസ്തുത ആക്റ്റ് 6-ാം വകുപ്പുപ്രകാരം കേരള സർക്കാർ താഴെ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ളതും 1.2455 ഹെക്ടർ വിസ്തീർണ്ണത്തിൽ അല്പം കൂടുതലോ കുറവോ വരുന്നതുമായ ഭൂമി ഒരു പൊതു ആവശ്യത്തിന് അതായത് ചാലക്കുടിക്കും അങ്കമാലിക്കും ഇടയ്ക്കുള്ള റെയിൽപ്പാത ഇരട്ടിപ്പിക്കുന്നതിന്റെ ഭാഗമായി അങ്കമാലിയിൽ യാർഡ് നിർമ്മിക്കുന്നതിന് ആവശ്യമാണെന്ന് ഇതിനാൽ പ്രഖ്യാപിക്കുകയും, പ്രസ്തുത ആക്ട് 7-ാം വകുപ്പുപ്രകാരം പ്രസ്തുത സ്ഥലം വിലയ്ക്കെടുക്കുന്നതിനുള്ള ഉത്തരവ് വാങ്ങാൻ എറണാകുളം റെയിൽവേ (സ്ഥലമെടുപ്പ്) സ്പെഷ്യൽ തഹശിൽദാരോട് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു. മാത്രമല്ല, പ്രസ്തുത ആക്റ്റ് 9-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരമുള്ള നോട്ടീസ് പ്രസിദ്ധപ്പെടുത്തുന്ന തീയതി മുതൽ പതിനഞ്ച് ദിവസം കഴിയുമ്പോൾ പ്രസ്തുത സ്ഥലം കൈവശപ്പെടുത്തേണ്ടതാണെന്ന് പ്രസ്തുത ആക്ട് 19-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം സർക്കാർ കളക്ടറോട് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

സ്ഥലത്തിന്റെ ഒരു പ്ലാൻ എറണാകുളം റെയിൽവേ (സ്ഥലമെടുപ്പ്) സ്പെഷ്യൽ തഹശിൽദാരുടെ ആഫീസിൽ സൂക്ഷിച്ചിട്ടുള്ളതും ആഫീസ് സമയത്ത് എപ്പോൾ വേണമെങ്കിലും അതു പരിശോധിക്കാവുന്നതുമാണ്.

പട്ടിക

ജില്ല—എറണാകുളം. താലൂക്ക്—ആലുവ.

വില്ലേജ്—കോതകുളങ്ങര തെക്ക്.

(ഏകദേശ വിസ്തീർണ്ണമാണ് കൊടുത്തിരിക്കുന്നത്)

ക്രമനമ്പർ	സർവ്വേ നമ്പർ	വിവരണം	വിസ്തീർണ്ണം ഹെക്ടറിൽ
(1)	(2)	(3)	(4)
1	137/1-എ5	പുരയിടം	0.2029
2	137/1ബി	,,	0.0243
			0.2272
3	165/1-ബി1	,,	0.0013
4	165/2-എ1	,,	0.0081
5	165/3-എ18	,,	0.0187
6	165/3-എ19	,,	0.0147
7	165/3-എ20	,,	0.0272
8	165/4-ബി1	,,	0.0032
9	165/6-എ2	,,	0.0672
10	165/6-ബി1	,,	0.0595
11	165/7-എ2	,,	0.0080
12	165/7-ബി	,,	0.0647
			0.2726

(1)	(2)	(3)	(4)
13	192/5-എ5	പുരയിടം	0.0474
14	192/5-എ6	,,	0.0125
15	192/5-എ7	,,	0.2802
16	192/5 എ9	,,	0.0025
17	197/7-എ6	,,	0.0032
18	192/7-എ7	,,	0.0462
19	192/7-ബി1	,,	0.0182
20	192/7-ബി2	,,	0.0506
21	192/7-ബി3	,,	0.0081
22	192/7-ബി4	,,	0.0019
23	192/7-ബി5	,,	0.0021
24	192/8-എ3	,,	0.0252
25	192/8-ബി2	,,	0.0283
26	192/8-ബി3	,,	0.0323
27	192/8-ബി6	,,	0.0626
28	192/8-ബി7	,,	0.0211
29	192/8-ബി8	,,	0.0219
30	192/11-2	,,	0.0041
31	192/17-ബി9	,,	0.0114
32	192/17-ബി10	,,	0.0660
			0.7457

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ അതിന്റെ പൊതു ഉദ്ദേശം വെളിപ്പെടുത്തുവാനുദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്).

31-5-1963-ലെ 2/4/63 ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനംമൂലം ഭാരതത്തിന്റെ രാഷ്ട്രപതി സംസ്ഥാനത്ത് കേന്ദ്ര സർക്കാരിന്റെ ഉപയോഗത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള അധികാരം കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേല്പിച്ചിട്ടുള്ളതും മുകളിൽ പട്ടികയിൽ വിവരിച്ചിട്ടുള്ള ഭൂമി ഒരു പൊതു ആവശ്യത്തിന് അതായത് ചാലക്കുടിക്കും അങ്കമാലിക്കും ഇടയ്ക്കുള്ള റെയിൽപ്പാത ഇരട്ടിപ്പിക്കുന്നതിന്റെ ഭാഗമായി അങ്കമാലിയിൽ യാർഡ് നിർമ്മിക്കുന്നതിന് ആവശ്യമാണെന്ന് സംസ്ഥാന സർക്കാരിന് ബോദ്ധ്യപ്പെട്ടിട്ടുള്ളതുമാകുന്നു.

മേൽപ്പറഞ്ഞ ഉദ്ദേശം നിറവേറ്റുന്നതിനു വേണ്ടിയുള്ളതാണ് ഈ പ്രഖ്യാപനം.

By order of the Governor,

MARY MIRANDA,

Joint Secretary to Government.

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Government of Kerala
1985

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EXTRAORDINARY

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GOVERNMENT OF KERALA

Taxes (G) Department

NOTIFICATION

G. O. MS. No. 95|85|TD. *Dated, Trivandrum, 1st August, 1985.*

S. R. O. No. 1146|85.—In exercise of the powers conferred by sections 18A and 29 of the Abkari Act 1, of 1077, the Government of Kerala hereby make the following rules further to amend the Kerala Abkari shops (Disposal in Auction) Rules, 1974, namely:—

RULES

1. *Short title and Commencement.*—(1) These rules may be called the Kerala Abkari Shops (Disposal in Auction) Amendment Rules, 1985.

(2) They shall come into force at once.

2. *Amendment of the rules.*—In the Kerala Abkari Shops (Disposal in Auction) Rules, 1974, in paragraph 2 of Form No. I, after the sentence അത് ഡെപ്പോസിറ്റുന്ന പക്ഷം തക്കതായ ആവശ്യവും നൽകി കൊള്ളാം." the following sentence shall be inserted, namely:—

"കൂടാതെ ഞാൻ ലേലത്തുകയുടെ 20 ശതമാനത്തിൽ കുറയാത്ത തുകയ്ക്കുള്ള സോൾവൻസി സർട്ടിഫിക്കറ്റോ, ബാങ്ക് ഗാരന്റിയോ ഹാജരാക്കു

33/3528/MC.

കയോ, അല്ലെങ്കിൽ സോൾവൻസി സർട്ടിഫിക്കറ്റിനു പകരമായി ലേലത്തുകയുടെ 20 ശതമാനത്തിൽ കുറയാത്ത തുകയ്ക്കുള്ള അധിക ക്യാഷ് സെക്യൂരിറ്റിയോ, ബാങ്ക് ഡ്രാഫ്റ്റോ അഥവാ രണ്ടും കൂടിയോ നൽകുകയോ ചെയ്തുകൊള്ളാം".

By order of the Governor,

M. G. K. MURTHY,
Secretary to Government.

Explanatory Note

(This is not part of the amendment but is intended to indicate its general purport).

As per the provisions contained in rule 5(10) of the Kerala Abkari Shops (Disposal in Auction) Rules, 1974 an auction purchaser has to fulfil the following conditions at the time of signing the agreement:—

(i) he should make a deposit in cash of an amount equivalent to not less than 30% of the amount of his bid or such other higher amount to be fixed by the officer conducting the auction sale.

(ii) he should furnish personal sureties if required by the officer conducting the auction sale.

(iii) he should produce before the auctioning officer a solvency certificate for an amount not less than 20% of the bid amount or in lieu thereof he should furnish additional cash security for an amount not less than 20% of the bid amount.

If all the above three conditions are not fulfilled the earnest money deposited by him would be forfeited and the shop would be put to re-auction. But in the agreement in Form I appended to the Rules, condition No. 3 referred to above has not been incorporated. The Committee on subordinate Legislation has pointed out this omission and suggested to modify Form I by incorporating condition (iii) also. Government have accepted the suggestion of the Committee. This notification is intended to give effect to the suggestion of the Committee.

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GOVERNMENT OF KERALA

Taxes (G) Department

NOTIFICATION

G. O. Ms. No. 99|85|TD. *Dated, Trivandrum, 1st August, 1985.*

S. R. O. No. 1150|85.—In exercise of the powers conferred by section 29 of the Abkari Act, 1 of 1077, the Government of Kerala hereby make the following rules further to amend the Kerala Distillery and Warehouse Rules, 1963, published under Notification G. O. (Ms.) No. 75|68|RD dated the 1st February, 1968 as S. R. O. No. 112|69 in Part I of the Kerala Gazette No. 11 dated 18th March, 1969, namely:—

RULES

1. *Short title and Commencement.*—(1) These rules may be called the Kerala Distillery and Warehouse (Amendment) Rules, 1985.

(2) They shall come into force at once.

33|3532|MC.

2. *Amendment of the rules.*—In Part II of the Kerala Distillery and Warehouse Rules, 1968,—

(i) in Rule 58, for the words, "a general bond in Form V or a special bond in Form VI, as the case may be, appended to Part I of these rules", the following shall be substituted, namely:—

"before an officer not below the rank of an Excise Inspector, a general bond in Form V or special bond in Form VI, as the case may be, appended to Part I of these rules".

(ii) in rule 128, in the fourth sentence after the words "should be drawn in the succeeding month on establishment bills" the words "in the case of non-Gazetted officers and on salary bills in the case of Gazetted Officers" shall be inserted.

By order of the Governor,

M. G. K. MURTHY,
Secretary to Government.

Explanatory Note

(This is not part of the amendment but is intended to indicate the general purport.)

As per the existing provision a distiller or warehouse-keeper is not required to execute a bond before any Excise Officer for removal of spirit from a Warehouse or Distillery under bond. The Committee on Subordinate Legislation has suggested to insist on execution of bond in the presence of a responsible officer.

According to the existing rules the Excise Circle Inspectors are also allowed over time fees for the over time work done in the distilleries and the over time fees should be drawn in the establishment bills. The Committee on Subordinate Legislation pointed out that over time allowance due to the Circle Inspector has to be claimed in the Gazetted Officer's salary bill and not in establishment bill.

Government have accepted the suggestions of the Committee. The amendments are to achieve the object.

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GOVERNMENT OF KERALA

Taxes (G) Department

NOTIFICATION

G. O. (MS) No. 98|85|TD. *Dated, Trivandrum, 1st August, 1985.*

S. R. O. No. 1149|85.—In exercise of the powers conferred by sections 18A and 29 of the Abkari Act, 1 of 1077, the Government of Kerala hereby make the following rules further to amend the Kerala Abkari shops (Disposal in Auction) Rules, 1974, namely:—

RULES

1. *Short title and commencement.*—(i) These rules may be called the Kerala Abkari Shops (Disposal in Auction) Amendment Rules, 1985.

(ii) They shall come into force at once.

2. *Amendment of the Rules.*—In the Kerala Abkari Shops (Disposal in Auction) Rules, 1974, in clause (d) of rule 10, the sentence "The retail shop licensee shall sell the stuff at a reasonable price only and the Government shall have power to prescribe the selling price" shall be omitted.

By order of the Governor,

M. G. K. MURTHY,
Secretary to Government.

33|3531|MC.

Explanatory Note

(This is not part of the amendment but is intended to indicate its general purport).

Government have realised that it is not feasible to fix the selling price of Cocobrandy as the privilege of vending liquor is sold in auction. Moreover there is also no production and sale of Cocobrandy. Hence there is no necessity to fix the selling price and the provision in the rules is being deleted. The notification is intended to achieve the above object.

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GOVERNMENT OF KERALA

Taxes (G) Department

NOTIFICATION

G.O. (MS) No. 97/85/TD. *Dated, Trivandrum, 1st August,* 1985.

S. R. O. No. 1148/85.—In exercise of the powers conferred by section 29 of the Abkari Act, I of 1077, the Government of Kerala hereby make the following rules further to amend the Kerala Foreign Liquor (Compounding, Blending and Bottling) Rules, 1975, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Foreign Liquor (Compounding, Blending and Bottling) Amendment Rules, 1985.

(2) They shall come into force at once.

2. *Amendment of the Rules.*—In the Kerala Foreign Liquor (Compounding, Blending and Bottling) Rules, 1975, after rule 6, the following rule shall be inserted, namely:—

"6A. *Attendance of Officers at the licensed premises.*—The licensed premises supervised by the officers mentioned in rule 6 shall be opened and closed at such hours between sunrise and sunset as the Commissioner may, in consultation with the licensee, consider suitable:

33/3530/MC.

Provided that the Officers shall not be required to attend the work for more than eight hours on any day. The unit shall be closed on sundays and other authorised holidays except under special conditions, and if opened on such days or is kept open beyond eight hours on working days, the officers will be entitled to overtime fees for the time worked on the requisition of the licensee".

By order of the Governor,

M. G. K. Murthy,

Secretary to Government.

Explanatory Note

(This is not part of the amendment but is intended to indicate the general purport.)

Government have decided to incorporate a provision in the Kerala Foreign Liquor (Compounding, Blending and Bottling) Rules, 1975, for fixing the working hours of Compounding, Blending and Bottling Unit and the entire premises as provided in the Kerala Distillery and Warehouse Rules. The amendment is intended to achieve the above object.

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1985

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GOVERNMENT OF KERALA

Taxes (G) Department

NOTIFICATION

G. O. (MS) No. 100|85|TD. *Dated, Trivandrum, 1st August, 1985.*

S. R. O. No. 1151|85.—In exercise of the powers conferred by section 29 of the Abkari Act 1 of 1077, the Government of Kerala hereby make the following rules further to amend the Kerala Distillery and Warehouse Rules, 1968, namely:—

RULES

1. *Short title and commencement.*—(1) These Rules may be called the Kerala Distillery and Warehouse (Amendment) Rules, 1985.

(2) They shall come into force at once.

2. *Amendment of the Rules.*—In part II of the Kerala Distillery and Warehouse Rules, 1968—

(1) for sub-rule (10) of rule 98, the following sub-rule shall be substituted, namely:—

"(10) When spirits are blended or reduced to the authorised issue strengths, wastage of not more than one per cent in the proof litres of spirit taking part in the operation shall be allowed."

(2) in sub-rule (2) of rule 99, for the last sentence the following sentence shall be substituted, namely:—

"However in blending and reducing operations, an allowance of wastage of not more than one per cent shall be allowed".

By order of the Governor,

M. G. K. Murthy,
Secretary to Government.

Explanatory Note

(This does not form part of the amendment, but is intended to indicate its general purpose).

At present no allowance of wastage is prescribed for losses in blending and reducing operations in the Distillery and Warehouse Rules 1968. Now Government have decided to give one per cent wastage in blending and reducing operations. This amendment is intended to give effect to the above purpose.

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